

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

ORDER

Crim. No. 14-114 (01) (MJD)

Carlos Arturo Gonzalez-Meza,

Defendant.

Andrew Dunne, Assistant United States Attorney, Counsel for Plaintiff.

Defendant *pro se*.

This matter is before the Court on Defendant's *pro se* motion for modification of sentence pursuant to 18 U.S.C. § 3582(c)(2).

On June 20, 2014, Defendant pled guilty to Count 1 of the Indictment that charged possession with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841 (a)(1) and (b)(1)(C). On November 24, 2014, Defendant was sentenced to a term of imprisonment of 96 months, which was a downward variance from the applicable guideline range.

The applicable guideline range in this case was based on the Court's determination that Defendant was accountable for 4.867 kilograms of

methamphetamine (actual), which subjected him to a base offense level of 38.

Following Amendment 782, being accountable for 4.867 kilograms of

methamphetamine (actual) still subjects Defendant to a base offense level of 38.

Defendant is thus not eligible for a sentence reduction as Amendment 782 did not

alter the applicable guideline range. United States v. Wanton, 525 F.3d 621, 622

(8th Cir. 2008).

IT IS HEREBY ORDERED that Defendant's Motion for Sentence Reduction
[Doc. No. 33] is DENIED.

Date: December 9, 2015

s/ Michael J. Davis

Michael J. Davis

United States District Court